

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CHARLES MAY,

Plaintiff,

-v.-

Civil Action No.  
9:06-cv-437 (GLS/RFT)

SUPERINTENDENT DONNELI;  
DONALDSON, Grievance  
Coordinator; DEP. STERN; IMAM  
AHMED; OFFICER MATTHEW;  
DEACON BASHAW; and JAMES  
JONES, Administration Sergeant,

Defendants.

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APPEARANCES:

OF COUNSEL:

**FOR THE PLAINTIFF:**

CHARLES MAY  
Plaintiff, *Pro Se*  
05-A-3300  
Adirondack Correctional Facility  
Box 110  
Ray Brook, New York 12977

**FOR THE DEFENDANTS:**

HON. ANDREW M. CUOMO  
Attorney General of the  
State of New York  
The Capitol  
Albany, New York 12224-0341

DAVID L. COCHRAN  
Assistant Attorney General

GARY L. SHARPE,  
U.S. DISTRICT JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation by Magistrate Judge Randolph F. Treece, duly filed August 25, 2009. Following ten days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

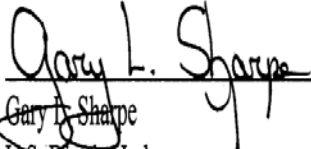
ORDERED, that the Report-Recommendation of Magistrate Judge Randolph Treece filed August 25, 2009 is ACCEPTED in its entirety for the reasons state therein, and it is further

ORDERED, that the defendants' motion for partial summary judgment (Docket No. 57) is GRANTED in part and DENIED in part, and it is further

ORDERED, that the Clerk of the court serve a copy of this order upon the parties in accordance with this court's local rules.

IT IS SO ORDERED.

Dated: September 18, 2009  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge